

ERVIN LEE MCFERRIN §
VS. § CIVIL ACTION NO. 1:14cv486
ROBERT BEHRNS §

¹ This case was directly assigned to the undersigned magistrate judge pursuant to this district's General Order 14-10. Plaintiff has provided voluntary written consent to have the assigned magistrate judge conduct all further proceedings in this case, including entry of final judgment, in accordance with 28 U.S.C. § 636. The defendants in this action have not been served with process and, as a result, have not appeared. As a result, their consent is not needed for the undersigned to make a final determination in this matter. See *Neals v. Norwood*, 59 F.3d 530, 532 (5th Cir. 1995).

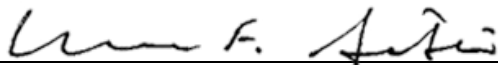
to comply with any order of the court. *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998). "This authority [under Rule 41(b)] flows from the court's inherent power to control its docket and prevent undue delays in the disposition of pending cases." *Boudwin v. Graystone Insurance Co., Ltd.*, 756 F.2d 399, 401 (5th Cir. 1985).

By failing to comply with the order described above, plaintiff has failed to diligently prosecute this case. As a result, this case will be dismissed without prejudice for want of prosecution.

Conclusion

For the reasons set forth above, this lawsuit will be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). An appropriate final judgment shall be entered. If plaintiff wishes to have this case reinstated on the court's docket, he may do so by complying with the court order described above within 30 days of the date set forth below.

SIGNED this 26 day of January, 2016.



KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE